

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: ARCHER-DANIELS-MIDLAND COMPANY	DOCKET NO. GCU-98-1
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ORDER SETTING PROCEDURAL SCHEDULE

(Issued June 25, 1999)

On August 17, 1998, Archer-Daniels-Midland Company (ADM) filed with the Utilities Board (Board) an application to amend its generating plant certificate pursuant to IOWA CODE chapter 476A (1997). ADM plans to expand its existing Cedar Rapids cogeneration plant from 150 to 230 MW. On September 11, 1998, the Board issued an order waiving the informational meeting provided for in IOWA ADMIN. CODE 199-24.7 because ADM will not be acquiring new land or easements to construct the proposed addition.

The Board issued an "Order Identifying Filing Deficiencies" on September 30, 1998. ADM supplemented its original filing with additional information on November 17, 1998. The Board has reviewed ADM's filing and finds the application is now in substantial compliance with the Board's filing requirements. Therefore, the Board will accept the filing, set a procedural schedule, and provide for the service and publication of the Board's action.

The Consumer Advocate Division of the Department of Justice (Consumer Advocate) filed an answer to ADM's application on September 3, 1998. Consumer Advocate indicated it needed additional time for discovery to determine what issues may be in dispute. On December 29, 1998, Consumer Advocate filed a withdrawal

indicating it had no objection to the Board granting ADM's application to amend generating certificate.

IT IS THEREFORE ORDERED:

1. The application for amendment to generating certificate filed by Archer-Daniels-Midland Company is accepted pursuant to IOWA ADMIN. CODE 199-24.5 (1999).

2. The following procedural schedule is established for this proceeding:

a. Any intervenors shall file prepared direct testimony, with underlying workpapers and exhibits, on or before July 19, 1999.

b. ADM shall file rebuttal testimony, with underlying workpapers and exhibits, on or before July 26, 1999.

c. The parties shall submit a joint statement of issues on or before July 30, 1999.

d. A hearing in this matter shall commence at 10 a.m. on August 9, 1999, in Iowa Hall, Gritter Room, Third Floor, at Kirkwood Community College, 6301 Kirkwood Blvd., S.W., Cedar Rapids, Iowa. Persons with disabilities requiring assistive services or devices to observe or participate should contact the Utilities Board at (515) 281-5256 in advance of the scheduled date to request that appropriate arrangements be made.

e. All parties shall file initial briefs on or before August 20, 1999.

f. All parties who have filed initial briefs may file reply briefs on or before August 27, 1999.

3. The Executive Secretary of the Utilities Board shall cause written notice of the acceptance of the application and procedural schedule to be served upon: the United States Environmental Protection Agency; the Federal Aviation Office; the Iowa Department of Natural Resources; the Natural Resource Commission; the Environmental Protection Division of the Iowa Department of Natural Resources; the Geological Survey Bureau; the Office of Historical Preservation; the Office of State Archaeologist; the Community Action Agencies Division of the Department of Human Rights; the Iowa Department of Transportation; the City of Cedar Rapids; and all owners and lessees of record of real property located within 1,000 linear feet of the proposed site as required by IOWA CODE § 476A.4(2)"c" (1999), as listed in ADM's application.

4. In accordance with IOWA ADMIN. CODE 199-24.6(1)"c," the Executive Secretary of the Utilities Board shall cause a notice of the procedural schedule attached as Appendix A to be published in the Cedar Rapids Gazette once each week for two consecutive weeks, with the second publication being no later than 30 days after the date the order is issued.

UTILITIES BOARD

/s/ Allan T. Thoms

/s/ Susan J. Frye

ATTEST:

/s/ Raymond K. Vawter, Jr.
Executive Secretary

/s/ Diane Munns

Dated at Des Moines, Iowa, this 25th day of June, 1999.

OFFICIAL NOTICE
BEFORE THE IOWA UTILITIES BOARD
DOCKET NO. GCU-98-1

TO THE CITIZENS OF LINN COUNTY:

In accordance with IOWA ADMIN. CODE 199-24.6(1)"c" (1999), notice is hereby given that an application for an amendment to a certificate to construct, operate, and maintain an electric generating facility has been filed by Archer Daniels Midland Company, Cedar Rapids, Iowa. On June 25, 1999, the Iowa Utilities Board accepted the application in accordance with IOWA ADMIN. CODE 199-24.5(3) (1999).

By order dated June 25, 1999, the Board set August 9, 1999, at 10 a.m. in Iowa Hall, Gritter Room, Third Floor, at Kirkwood Community College, 6301 Kirkwood Blvd., S.W., Cedar Rapids, Iowa, as the time and place for commencement of the hearing in this matter. Persons who have been accorded the status of intervenors have the right to appear at the public hearing. Intervenors will be given the opportunity to cross examine the witnesses of any other party, to present witnesses on their own behalf, and to rebut, refute, or reply to all evidence in opposition to the intervenors' stated position. Persons with disabilities requiring assistive services or devices to observe or participate should contact the Utilities Board at (515) 281-5256 in advance of the scheduled date to request that appropriate arrangements be made.

The Board will conduct these proceedings to determine if the application for amendment to generating certificate meets the applicable decisional criteria of IOWA CODE § 4761.6 (1999). The proposed facility is located at Archer Daniels Midland Company's processing plant, 1350 Wacina Avenue SW, Cedar Rapids, Iowa.

Requirements for intervention in the proceeding are contained in IOWA ADMIN. CODE 199-24.6(3)"b" and 24.9(2) (1999).

/s/ Raymond K. Vawter, Jr.

Executive Secretary

Dated at Des Moines, Iowa, this 25th day of June, 1999.